

STATE OF NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING
COMMISSION OF THE
NORTH CAROLINA STATE BAR
12 DHC 30

THE NORTH CAROLINA STATE BAR,

Plaintiff,

vs.

TINA PATRICK-BROADWAY, Attorney,

Defendant.

ANSWER

NOW COMES the defendant, through counsel, answering the Complaint of the plaintiff, alleges and says:

1. The allegations contained in paragraph 1 of plaintiff's Complaint are admitted.
2. The allegations contained in paragraph 2 of plaintiff's Complaint are admitted.
3. The allegations contained in paragraph 3 of plaintiff's Complaint are admitted.

FIRST CLAIM FOR RELIEF

4. The defendant hereby adopts, repeats, and realleges herein by reference each and all of her answers contained in Paragraphs 1 through 3 of Plaintiff's Complaint and hereby incorporates said answers herein by reference as if herein fully set forth.
5. The allegations contained in paragraph 5 of plaintiff's Complaint are admitted.
6. The allegations contained in paragraph 6 and subparagraphs (a) through (c) of plaintiff's Complaint are admitted.
7. The allegations contained in paragraph 7 of plaintiff's Complaint are admitted.
8. The allegations contained in paragraph 8 of plaintiff's Complaint are

admitted.

9. The allegations contained in paragraph 9 of plaintiff's Complaint are admitted.
10. The allegations contained in paragraph 9 of plaintiff's Complaint are admitted.
11. The allegations contained in paragraph 11 of plaintiff's Complaint are admitted.
12. The allegations contained in paragraph 12 of plaintiff's Complaint are admitted.
13. The allegations contained in paragraph 13 of plaintiff's Complaint are admitted.
14. It is admitted that due to the loss of the back up information outlined in paragraph 11, that she was unable to properly reconcile her trust account in a timely manner despite requests for this information.
15. The allegations contained in paragraph 15 of plaintiff's Complaint are admitted.
16. The allegations contained in paragraph 16 of plaintiff's Complaint are admitted.
17. The allegations contained in paragraph 17 of plaintiff's Complaint are admitted.
18. The allegations contained in paragraph 18 of plaintiff's Complaint are admitted, except for the allegation that the \$1,332.00 was not in the firm's office safe, which allegation is denied.
19. The allegations contained in paragraph 19 of plaintiff's Complaint are admitted.

THEREFORE, having answered the First Claim for Relief, the defendant admits violating the Revised Rules of Professional Conduct, as alleged in paragraphs (a) through (d) of said claim, but she denies that her failure to respond to the lawful demand from the Bar and an Order of the court as outlined in subparagraph (e) was an intentional violation of the Rules of Professional Conduct, as she did not have the appropriate information to comply with said demands.

SECOND CLAIM FOR RELIEF

20. The defendant hereby adopts, repeats, and realleges herein by reference each and all of her answers contained in Paragraphs 1 through 19 of Plaintiff's Complaint and hereby incorporates said answers herein by reference as if herein fully set forth.
21. The allegations contained in paragraph 21 of plaintiff's Complaint are admitted.
22. The allegations contained in paragraph 22 of plaintiff's Complaint are admitted.
23. The allegations contained in paragraph 23 of plaintiff's Complaint are admitted.

THEREFORE, having answered the Second Claim for Relief, the defendant admits violating the Revised Rules of Professional Conduct, as alleged in the paragraph at the end of the Second Claim for Relief.

WHEREFORE, having answered the like numbered paragraphs of the Complaint, requests that the Disciplinary Hearing commission enter an Order after hearing evidence in this matter consistent with a finding that the defendant did not knowingly and intentionally violate the Rules as alleged in plaintiff's Complaint.

This the 29th day of August, 2012.

CRUMPLER FREEDMAN PARKER & WITT
Attorneys for the Defendant

Dudley A. Witt by Jones P. Byrd, Jr.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an attorney at law licensed to practice in the State of North Carolina, is attorney for the defendant and is a person of such age and discretion as to be competent to serve process.

That on the 29th day of August, 2012, he served a copy of the attached **ANSWER** by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and its contents in the United States Mail at Winston-Salem, North Carolina.

ADDRESSEE: Mrs. Carmen Hoyme Bannon
The North Carolina State Bar
208 Fayetteville Street
Raleigh, NC 27601

CRUMPLER FREEDMAN PARKER & WITT
Attorneys for the Defendant

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